

# OFFICE OF THE PROSECUTOR

County of Atlantic



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March 17, 2025

The Honorable Magistrate Judge Matthew J. Skahill  
U.S. District Court of New Jersey - Camden  
Camden, New Jersey 08101

RE: **BENJAMIN v. THE ATLANTIC CITY POLICE DEPARTMENT, et al**  
**Case Number: 1:23-cv-03219-CPO-MJS**

Your Honor:

Please accept this letter objecting to defendant counsel's proposed order to compel the Atlantic County Prosecutor's Office (ACPO) to "provide the outstanding complaint filed by Lt. Benjamin that is pending review by the New Jersey Attorney General's Office of Public Integrity and Accountability (OPIA)."

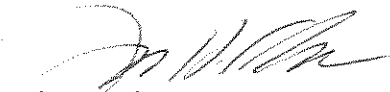
Upon receiving Ms. Riley's proposed order on March 7, 2025, I spoke with her and asked why she did not direct the proposed order to OPIA. She told me that at the last status conference the New Jersey Deputy Attorney General reported the complaint is "under investigation" by OPIA. I subsequently communicated with DAG Kevin Dronson seeking any status update with respect to the investigation but as of this writing I have no further information to provide Your Honor with respect to when OPIA will complete their investigation or review.

By way of background ACPO acted on this complaint pursuant to the direction of OPIA. The complaint was jointly investigated by members of both the ACPO and OPIA. ACPO was then directed to forward our portion of the investigation to OPIA for their review/approval which was done on December 11, 2023. It appears that OPIA has not completed their review/investigation.

ACPO's position is that as a practical matter, if not in fact, the New Jersey Attorney General has superseded our agency pursuant to his authority under the New Jersey Constitution and the Criminal Justice Act of 1970, N.J.S.A. 52:17B-97 to -117 as well as Attorney General oversight of internal affairs specifically assigned to him by N.J.S.A. 40A:14-181 and to which our agency is bound through the New Jersey Attorney General's Internal Affairs Policies and Procedures (IAPP).

Given the matter remains an active investigation with OPIA please understand that ACPO is not in a position to release any unapproved "draft" report to Ms. Riley unless we receive written authorization to do so by the New Jersey Attorney General in accord with the IAPP.

Respectfully submitted,



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cc: Via Email only  
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